

Feb. 1, 2005 6:55PM ZPS GROUP LLC

No. 6743 P. 9

S/N: 09/748,520

Gupta et al.

REMARKS

Claims 1-35 are pending in the present application. In the Office Action mailed January 12, 2005, the Examiner withdrew all pending rejections and allowed claims 1-35. The Examiner requested that Applicant provide a mapping of features claimed with features shown in Exhibit A submitted January 30, 2004 and requested "a copy of the specification drafted before 12 December 2000 since the application was filed ten days later, on 22 December 2000."

Since all claims have been allowed, and prosecution on the merits has been closed, Applicant finds both requests unusual and believes such requests are beyond the formal matters under *Ex Parte Quayle*. MPEP §710.02(b) provides examples of "formal matters" which include correction to the specification, a new oath, etc. Neither of the Examiner's requests falls within such "formal matters."

Additionally, the Examiner refers to an exhibit submitted 30 January 2004. However, Applicant did not file any submission with such a date. The closest submission to that date is Applicant's 31 December 2003 submission.

It is noted that in the Office Action mailed 30 April 2004, the Examiner stated that the 37 CFR 1.131 Declaration was "sufficient to overcome the Christiansen et al. (US 2002/0156694) reference. Therefore, rejection of claims 1-35 using Christiansen et al. is withdrawn."

Since the §131 Declaration has been accepted and all claims have been allowed, Applicant respectfully submits that the present application is in condition for allowance and requests a timely Notice of Allowance.

Applicant cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

Timothy J. Ziolkowski
Registration No. 38,368
Direct Dial (262)-376-5139
tjz@zpspatcnts.com

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P.O. ADDRESS:
Ziolkowski Patent Solutions Group, SC
14135 North Cedarburg Road
Mequon, WI 53097-1418
(262)-376-5170